

NB 300-20-37 LTP – Refining Source Water Protection Local Priorities for Fiscal Year (FY) 2021

National Bulletin: 300-20-37 Date: June 1, 2020
Subject: LTP – Refining Source Water Protection Local Priorities for Fiscal Year (FY) 2021

Action Required By: September 30, 2020

Purpose. To further refine the source water protection local priorities that states submitted in FY19. A consistent approach and standardized database will be used in FY21 to identify the high priority areas within the local priorities that states submitted in FY19. State conservationists (STCs) and directors of the Caribbean and Pacific Island Areas will work with drinking water partners to identify these high priority areas for source water protection and the associated potential threats (water quality or aquifer depletion).

Expiration Date. September 30, 2020

Background. The 2018 Farm Bill amends the Food Security Act of 1985, Section 1244, the administrative provisions for conservation programs, to add a provision providing for the protection of source water through targeting conservation practices. This provision, 1244(n), provides that the Secretary must encourage the protection of drinking water sources through the following methods:

- Identifying local priority areas for drinking water protection in each State. This is done in collaboration with State technical committees and community water systems and may address concerns about either the quality or quantity of source water or both.
- Providing increased incentives for practices that relate to water quality and quantity and protect drinking water sources while also benefitting producers.
- Dedicating at least 10 percent of the total funds available for conservation programs (excluding CRP), each year beginning in FY 2019 through FY 2023, to be used for source water protection.

Explanation. In response to NB-300-19-25, states submitted local priorities for source water protection as a first step in complying with the Farm Bill provision for source water protection. These local priority areas were selected in collaboration with community water systems and the State Technical Advisory Committee (STAC). STCs used a variety of approaches to identify these priorities, so there were significant differences in level of targeting and size of areas selected across all states. STCs will use the guidance below, along with the attached spreadsheet, to select the high priority areas, based on HUC12 watersheds, as a refinement of local priorities submitted in FY19. This will ensure a more consistent approach and allow maps of source water priorities to be shared with the public.

High Priority Areas

STCs working with the State technical committee, public water utilities and the State drinking water agency will determine **which** local priority areas submitted in FY19 will be considered as the “high priority” for targeted implementation to address source water threats.

High priority areas will be selected based on high risk factors as described in this section and will have the following characteristics:

- Should represent no more than 20% of total land area of state
- Will be delineated using HUC12 watershed boundaries
- Selected HUC12s will be attributed with data indicating the type of water source addressed (surface, ground) and the potential threats (water quality, aquifer depletion).
- Selected with consideration for state/utility SWPA delineations and for EPA’s density data for location and extent of SWPAs provided in their drinking water database (described below).

The following risk factors should be considered when selecting these areas where agricultural landuses may impact source water:

- Nutrients, sediment, pathogens, pesticides – identified water quality resource concerns at watershed/area scale
- Reported or likelihood of Harmful Algal Blooms (HABs)
- Water system violations
- Size of population served by SWPAs
- Ground water systems served by an aquifer designated as “sole source”
- Known areas of aquifer depletion or ground water management areas
- Other risks that may impact source water:
 - o Karst geology
 - o Highly erodible soils
 - o Degraded habitat

- o Degraded habitat
- o Livestock access to surface water
- o Wildfire risk
- Opportunity to address risks to source water and as well as related resource concerns
 - o Impaired surface waters
 - o Aquatic habitat

The following EPA source water protection area spatial data are available for states to consider in selecting high priority areas:

- Wellhead protection areas (ground water systems):

<https://epa.maps.arcgis.com/home/item.html?id=068fa5fa5f63465eb908374ae8da353a>

- Source water protection areas (surface systems):

<https://epa.maps.arcgis.com/home/item.html?id=c95164e0e40a48888c9b9520a521eb50>

These data represent the density of source water protection areas aggregated at the HUC12 scale (% of the HUC12 in a source water protection area). These data are a good representation of the source water protection areas modeled by EPA and that NRCS is using to track the 10% of conservation program funding. States should focus on HUC12s with the greatest density of SWPAs to incorporate into high priority areas, where possible.

Areas selected should be a subset of the local priorities previously selected and should represent, as a target, no more than 20% of the state land area. Selections will be made based on HUC12s. For each HUC12 selected, the type of systems addressed (ground or surface water) and the source water threat (water quality or aquifer depletion) must be included. The SWPA assessments or protection plans for each water system (as required in the Safe Drinking Water Act) should be the basis to identify the source water threat(s). States will use the spreadsheet "Source Water Local Priority Refinement" located at:

Source Water Protection FB 2018 High Priority Areas

to make the selection of HUC12s that will represent the high priority areas.

If current local priorities meet the guidance above, states may use their current local priorities as the "high" priorities but will need to add the additional attributes to the database and identify by HUC12. States do not have to identify areas beyond the "high priority" areas (i.e. if states provided very targeted local priorities in FY19 that represent the "high" priority HUC12s, they do not have to identify additional areas for source water protection). Some states submitted local priorities in FY19 that included different priority levels. If so, states may use the highest priority level or "tier" from the FY19 submission but will need to assure those areas are selected in the spreadsheet based on HUC12.

States may choose to modify their original local priorities at this time. In this case, they should use HUC12s to submit modifications. Local priority area modifications should be submitted on the designated tab in the spreadsheet.

How the Source Water Areas Will Be Used

Local priority areas that states submitted in FY19, in general, represent a larger/broader extent where agricultural land uses may impact source water protection areas or areas contributing to source water.

- These areas should be considered in planning and ranking to address source water protection.
- NRCS will track implementation related to source water protection for local priorities.

High priority areas - "high priority" areas that states will select have elevated risk or greater need to address threats to source water.

- o These areas need focused outreach and implementation and should receive higher ranking for source water protection. States may develop a separate ranking pool for source water protection based on these areas.

- o These areas will be the target for the source water high priority practices with increased payment.
- o NRCS will track implementation related to source water protection for these "high priority" areas.

Please provide the high priority source water protection areas (HUC12s) and any modifications to the original local priorities on the "Source Water Local Priority Refinement" spreadsheet to Dee Carlson (dee.carlson@usda.gov) by September 30, 2020. Please assure that the most current WBD dataset for HUC12 is used, and the additional requested attributes have been included in the spreadsheet for selected HUC12s.

Contact. For additional information or clarification, please contact Dee Carlson, Areawide Planning Branch, at dee.carlson@wdc.usda.gov or (202) 720-5287.

/s/

JIMMY BRAMBLETT
Deputy Chief for Programs